



Exhibit 6

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Denver Field Division

www.atf.gov

January 12, 2022

3rd Gen Machine Inc
1435 North 200 W
Logan, UT 84341

Dear Evan Michael Jones and Jonathon William Robinson:

This is in reference to the Rare Breed Triggers FRT-15 manufactured, distributed, or sold by your company. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) examined this trigger and determined it to be a machinegun as defined in the National Firearms Act (NFA) and the Gun Control Act (GCA). Please be aware that ATF is currently conducting a criminal investigation into these triggers, and you are now on notice that any information you have regarding these triggers, and any triggers you currently possess, could be considered evidence in this investigation and destruction or disposal of this evidence could be viewed as obstruction.

The GCA defines the term "machinegun" as "the meaning given such term in section 5845(b) of the National Firearms Act (26 U.S.C. 5845(b))." 18 U.S.C. 921(a)(23). The NFA defines the term "machinegun" under section 5845(b) as "any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, *any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun*, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person." 26 U.S.C. 5845(b). *Italics added.*

Because the Rare Breed Triggers FRT-15 is a machinegun under the NFA, it is subject to the registration, transfer, taxation, and possession restrictions applicable to these regulated weapons, which include criminal penalties relating to the illegal transfer and possession of said weapons. *See* 26 U.S.C., Chapter 53; *see also* 26 U.S.C. § 5871 (any person who violates or fails to comply with the provisions of the NFA may be fined up to \$10,000 per violation and is subject to imprisonment for a term of up to ten years). Additionally, the Rare Breed Triggers FRT-15 is subject to the prohibitions regarding the possession, transfer, and transport of machineguns under the GCA as set forth in 18 U.S.C. §§ 922(o) and 922(a)(4).

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The manufacture and sale of a machinegun is subject to significant legal restrictions and compliance under the GCA and the NFA. The NFA requires that the manufacturer register each firearm manufactured in the National Firearms Registration and Transfer Record. *See* 26 U.S.C. § 5841; 27 C.F.R. § 479.101. Any firearm manufactured and/or transferred in violation of the NFA, and/or subject to the NFA, and possessed by a person to whom it is not registered, is a violation of the NFA and subject to seizure and forfeiture. *See* 26 U.S.C. §§ 5861, 5872.

ATF has concluded that the Rare Breed Triggers FRT-15 is a combination of parts designed and intended for use in converting a weapon into a machine gun, hence, the FRT-15 has been classified as a "machinegun" as defined by the NFA and GCA. ATF's examination found the Rare Breed Triggers FRT-15 allows a firearm to expel more than one shot, without manual reloading, with a single, continuous pull of the trigger. Because the FRT-15 is properly classified as a "machinegun" you must immediately take the following actions:

- 1. Cease and desist all manufacture and transfer of the Rare Breed Triggers FRT-15.**
- 2. Immediately surrender any Rare Breed Triggers FRT-15 currently in your possession to ATF. You will be notified shortly of the basis for the seizure, and you may file a claim once you receive this notice. If your claim is denied, you may contest this forfeiture in federal court and your surrender of these triggers will not be deemed a waiver of your rights to contest this forfeiture.**
- 3. Contact ATF within 5 days of receipt of this letter to develop a plan for addressing those machineguns already distributed.**

The NFA levies a \$200 tax on each firearm made and an additional \$200 tax on each firearm transferred. *See* 26 U.S.C. §§ 5811, 5821. 3rd Gen. Machine Inc. may be liable for a \$200 making tax and a \$200 transfer tax on each Rare Breed Trigger FRT-15 made and transferred.

For public safety reasons, your cooperation in this matter is essential. Your failure to take the above steps may result in (1) law enforcement action by ATF, including a referral of this matter to the United States Attorney's Office for criminal prosecution; (2) tax assessment and collection; and/or (3) seizure and forfeiture of the firearms and property involved in violations of Federal law.

If you have any questions, and to discuss the plan referenced above, please contact Special Agent in Charge, Denver Field Division, David S. Booth at (303) 575-7600.

Sincerely,



Digitally signed by
DAVID BOOTH
Date: 2022.01.12
14:41:55 -07'00'

David S. Booth
Special Agent in Charge
Denver Field Division

Exhibit 6

Acknowledgment of Service

Served on the _____ day of _____, 2022, by _____, Special Agent,
Bureau of Alcohol, Tobacco, Firearms and Explosives at _____.

I hereby acknowledge receipt of this notice:

Signature

Date